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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

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भोपाल, दिनांक 8 जुलाई 2024

क्र. 10541—117—इक्कीस—अ(प्रा.)— भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश सुधारात्मक सेवाएं एवं बंदीगृह विधेयक, 2024 (क्रमांक 12 सन् 2024) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,

आर. पी. गुप्ता, अवर सचिव.

MADHYA PRADESH BILL
NO. 12 OF 2024
THE MADHYA PRADESH SUDHARATMAK SEVAYEN EVAM BANDIGRAH
VIDHEYAK, 2024

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MADHYA PRADESH BILL
NO. 12 OF 2024
THE MADHYA PRADESH SUDHARATMAK SEVAYEN EVAM
BANDIGRAH VIDHEYAK, 2024

A Bill to provide safe custody, reformation, rehabilitation and correction of prisoners as law abiding citizens and also for the management of prisons and correctional services in the State of Madhya Pradesh and for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh Legislature in the seventy fifth year of the Republic of India as follows:-

CHAPTER-I
PRELIMINARY

1. Short Title, extent and commencement-

- (1) This Act may be called the Madhya Pradesh Sudharatmak Sevayen Evam Bandigrah Adhiniyam, 2024.
- (2) It shall extend to the whole of the State of Madhya Pradesh.
- (3) It shall come into force on such date as the Government may publish by notification in the Official Gazette.

2. Definitions,-

In this Act, unless the context otherwise requires,-

- (1) "After care service" means a service or activity aimed at the rehabilitation of the released prisoner for enabling him to lead life as a dutiful citizen;
- (2) "civil prisoner" means any prisoner who is not a criminal prisoner;
- (3) "Competent Authority" means the Competent Authority as declared by the Government;
- (4) "Convict" means any prisoner under sentence of a Court exercising criminal jurisdiction or Court martial;
- (5) "Correctional Services" means any service or programme aimed at the reformation and rehabilitation of an inmate and includes services related to the execution of sentence awarded, assessment, supervision, treatment, training, control and custody of an inmate;

- (6) "Correctional Services Official" means an employee appointed by the Government or the Directorate to exercise powers or perform duties or functions related to the administration of this Act or as may be assigned by the Government;
- (7) "Court" includes any officer lawfully exercising civil, criminal or revenue jurisdiction;
- (8) "Criminal Prisoner" means any prisoner duly committed to custody under the writ, warrant, order of any Court or authority exercising criminal jurisdiction, or by order of a Court martial and who is not a detainee;
- (9) "Detainee" means any person detained in prison and correctional institution on the orders of a Competent Authority under any law providing for preventive detention;
- (10) "Directorate" means the Directorate of Prisons and Correctional Services of the State;
- (11) "Family" means spouse, children, siblings, parents, grandparents, grandchildren and, in the context of transgender inmates, people related through socio-religious family system;
- (12) "Foreign Prisoner" means any prisoner who is not a citizen of India;
- (13) "Furlough" means short leave granted to a convict, after undergoing a prescribed period of sentence, as an incentive for maintaining good conduct in prison and correctional institution;
- (14) "Government" means the Government of Madhya Pradesh;
- (15) "Habitual Offender" means prisoners who are sent to prison and correctional institution repeatedly for crimes;
- (16) "Head of Directorate" means an officer appointed by the Government as Head of the Directorate;
- (17) "High Risk Prisoner" means a prisoner with high propensity towards violence, escape, self-harm, disorderly behavior, likely to create unrest in the prison and correctional institution and a threat to public order and includes those engaged in organized crime and terrorist activities;
- (18) "High Security Prison" means an independent self-sufficient prison complex with dynamic and strengthened security systems with provision for an independent Court complex to house high risk prisoner, which may be part of any prison and correctional institution;
- (19) "History Ticket" means the ticket either in physical or electronic form, exhibiting all relevant information in respect of a prisoner;
- (20) "Inmate" means any person lawfully confined in a prison and correctional institution;
- (21) "Institution for Young Offenders" means a prison and correctional institution for young prisoners established to ensure their care, welfare and rehabilitation, to provide an environment of education and training conducive to their reformation;

- (22) "Medical Officer" in relation to prison and correctional institution means a qualified Government medical practitioner deputed as a medical officer of prison and correctional institution;
- (23) "Medical Subordinate Staff" means a qualified Medical Assistant deputed as such in prison and correctional institution;
- (24) "Open Correctional Institution" means a place for confinement of eligible prisoners on such conditions, as may be prescribed under the rules;
- (25) "Parole" means temporary release of a convict for a short period of time for attending to familial and social obligations;
- (26) "Prison and Correctional Institution" means any place used permanently or temporarily under general or special orders of the Government for providing correctional services to prisoners and includes all lands and buildings appurtenant thereto, but does not include,-
- any place for the confinement of prisoners who are exclusively in the custody of the police;
 - any place specially appointed by the Government under section 457 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (46 of 2023);
 - any place which has been declared by the Government by a general or special order to be a subsidiary jail;
- (27) "Prisoner" means a person committed to custody in a prison and correctional institution under the writ, warrant, order or sentence of a Court or a Competent Authority and includes convicted prisoner, civil prisoner, criminal prisoner, under-trial prisoner, prisoner to be kept in prison and correctional institution custody under the orders of a Competent Authority and a detainee;
- (28) "Prohibited Article" means any item that presents a threat to the safety or security of the prisoners, prison and correctional services official, prison and correctional institution or any object, substance or material forbidden by the prison and correctional institution or the Government from being in a prisoner's possession that can be used as a weapon or any article, the introduction or removal of which into or out of a prison and correctional institution is prohibited by this Act or by the rules framed thereunder or by any other law or by any notification of the Government;
- (29) "Recidivist" means any prisoner who is convicted for a crime more than once;
- (30) "Remission" means a concession granted to an eligible convicted prisoner by the competent Authority with the prospect of early release from prison and correctional institution by shortening of sentence, as may be prescribed under the rules;
- (31) "Rules" means the rules made under this Act;
- (32) "State" means the State of Madhya Pradesh;
- (33) "Superintendent" means a correctional services official appointed by the Government to perform the functions provided in the Act, as may be prescribed under the rules;

- (34) "Under Trial Prisoner" means a person who is not serving any sentence as a convict and has been committed to judicial custody, pending investigation or trial;
- (35) "Wireless Communication Device" means a device used for wireless communication or any other device notified by the Competent Authority;
- (36) "Young Offender" means a prisoner who has attained the age of 18 years and has not attained the age of 21 years.

CHAPTER-II

FUNCTIONS OF PRISON AND CORRECTIONAL INSTITUTION

3. **Functions of Prison and Correctional Institution.-** The functions of the prison and correctional institution shall be as follows, namely:-
- (a) to keep in custody, a prisoner committed to it under any writ, warrant or by the order of any Court or any other Competent Authority, as may be prescribed under the rules;
 - (b) to take suitable measures for the safety and security of prisoners, as may be prescribed under the rules;
 - (c) to provide the prisoners with accommodation, food, clothing, clean and sufficient water, toiletries, other necessities and medical services, as may be prescribed under the rules;
 - (d) to provide the prisoners access to adequate, gender-responsive physical and mental health care facilities, as may be prescribed under the rules;
 - (e) to provide correctional services to the prisoners with the objective of rehabilitating them in the society as law abiding citizens, as may be prescribed under the rules;
 - (f) to maintain discipline in the prison and correctional institution in accordance with the provisions of this Act, as may be prescribed under the rules;
 - (g) to provide after care service with a view to ensure prisoners reintegration and rehabilitation in the society, as may be prescribed under the rules.

CHAPTER-III

PRISON AND CORRECTIONAL INSTITUTION: ACCOMMODATION

4. **Accommodation for prisoners.-** The Government shall provide sufficient number of prisons and correctional institutions in the State for accommodating the prisoners which may be constructed and maintained in such a manner, so as to comply with the requirements of this Act, as may be prescribed under the rules.
5. **Prison and Correctional Institution: Architecture and Institutional Pattern.-**(1) The pattern of construction of a prison and correctional institution, ground space, air space, ventilation of cells, barracks, bathing places, kitchen, work-sheds and hospitals shall conform to such standards and requirements, as may be prescribed under the rules.
- (2) The standards of security for each prison and correctional institution shall be such as may be prescribed under the rules.

(3) Prison and Correctional Institution may be designed in such a manner so as to facilitate segregation and separate lodging of various categories of prisoners and/or for attending to special needs of prisoner, as may be prescribed under the rules.

(4) The setup of prison and correctional institution may include accommodation and other facilities for the correctional services officials as per functional requirement.

(5) Wherever there is no provision of a stand-alone high security prison, high risk prisoners and habitual offenders shall be segregated and lodged in separate barracks or cells of the prison and correctional institution, which shall have a provision of keeping them away from mingling with other inmates, as may be prescribed under the rules.

(6) Such separate accommodation as referred to in sub-section (5) shall have appropriate advanced architecture, design and institutional pattern, as may be prescribed under the rules.

6. Categories of Prisons and Correctional Institutions.- (1) The Government may establish various categories of Prisons and Correctional Institutions which are as follows, namely:-

- (a) Central Prison and Correctional Institution;
- (b) District Prison and Correctional Institution;
- (c) Sub-Prison and Correctional Institution;
- (d) Open Correctional Institution;
- (e) Prison and Correctional Institution exclusively for women prisoners;
- (f) Correctional Institution for young offenders.

(2) The Government may determine the number of prisons and correctional institutions of any category and the place at which these may be established.

(3) Each Central Prison and Correctional Institution/District Prison and Correctional Institution shall have provision for a separate ward for highrisk prisoners/recidivists/habitual offenders, where they may be lodged separately in cells without the scope of mingling with other inmates so as to protect other prisoners from their negative influence and radicalized thought process.

(4) Appropriate and advanced security infrastructure and procedures shall be in place for high-risk prisoners ward in all Central/District Prison and Correctional Institutions. Such Central Prison and Correctional Institution may also have appropriate provisions for an independent Court complex for holding Court hearings.

7. Temporary accommodation for prisoners.- Whenever it appears to the Government that,-

- (a) the number of prisoners in a prison and correctional institution is greater than that can conveniently or safely be kept therein, and it is not expedient to transfer the excess number to any other prison and correctional institution; or
- (b) due to the outbreak of any disease in any prison and correctional institution, or for any other reason, it is desirable to provide for temporary shelter and for the safe custody of prisoners;

appropriate provisions for temporary prison and correctional institution may be made in such a manner, as the Government may direct, from time to time.

CHAPTER-IV**ORGANISATIONAL SETUP**

- 8. Directorate of Prisons and Correctional Services.-** (1) There shall be a Directorate of Prisons and Correctional Services in the State, which shall be responsible for implementing the correctional services policies laid down by the Government and shall plan, organize, direct, coordinate and control all prisons and correctional institutions and matters connected therewith and incidental thereto. The Directorate shall consist of such number of officials, as may be prescribed by the Government, from time to time.
- (2) The institutional set-up may be decided in accordance with the need and requirement of prisoners, the inmate population, workload of correctional services officials, as may be prescribed under the rules.
- 9. Head of Directorate.-** (1) For the administration of correctional services the Government shall appoint the Head of Directorate of appropriate rank, subject to the provisions of the Act, as may be prescribed under the rules.
- (2) The Head of Directorate shall exercise powers and perform duties under this Act and other officials of correctional services shall work under the general superintendence, control and direction of the Head of Directorate.
- (3) The Head of Directorate shall exercise such administrative, financial and disciplinary powers, as may be exercised by the Head of Department and such other powers, specifically conferred upon him by the Government, from time to time.
- 10. Other Officials of Prison and Correctional Institution.-** (1) The Government may appoint as many officials as may be necessary to assist the Head of Directorate for performing such duties, subject to the provisions of the Act, as may be prescribed under the rules.
- (2) For every prison and correctional institution, there shall be a Superintendent and other officials, as may be prescribed under the rules.
- (3) The general administrative control and management of a prison and correctional institution shall vest with the Superintendent and under his directions other officials shall perform such duties and functions, as may be prescribed under the rules.
- (4) The Superintendent may utilize the services of prisoners for the day-to-day administration and management of the prison and correctional institution, as may be prescribed under the rules.

- 11. Recruitment and Training.-** (1) The qualifications, recruitment appointment and training of officials of the prison and correctional institution shall be as per the rules;
- (2) Salaries and other benefits of officials shall be as prescribed by Government, from time to time;
- (3) All officials in the correctional services department shall be provided with basic induction training and periodic in-service training to enable them to perform their duties efficiently and professionally.

CHAPTER-V

DUTIES OF CORRECTIONAL SERVICES OFFICIALS

- 12. Functions and duties of superintendent.-** (1)(a) subject to the provisions of the Act and the rules made thereunder or under orders and directions of the Head of Directorate, the Superintendent shall manage the prison and correctional institution in all matters including admission of prisoners, security of the prison and correctional institution, correctional services, allowing visitors inside the prison and correctional institution, expenditure, discipline, punishment and control, release and rehabilitation of prisoners with the aid and assistance of other subordinate officials.
- (b) Subject to such general or special directions as may be given by the Government, the Superintendent other than that of Central Prison and Correctional Institution shall obey all orders not inconsistent with this Act or any rule thereunder which may be given in respect of the prison and correctional institution by the District Magistrate and shall report to the Head of Directorate, all such order(s) and the action taken thereon.
- (2) The Superintendent shall be responsible for the proper upkeep of the prison and correctional institution and all equipment and machinery of the prison and correctional institution under his charge.
- (3) The Superintendent shall be responsible for the safe custody of all documents/records, including records in electronic format, in his care and for the money and other articles taken from prisoner and perform such other duties and discharge such other functions, as may be prescribed under the rules.
- (4) The Superintendent may, if in his opinion a prisoner requires special treatment in a hospital outside the prison and correctional institution, send him or cause him to be sent to such hospital.

13. **Medical Officer.-** (1) **Medical Officer.-** There shall be a medical officer for every prison and correctional institution. If the post of medical officer is vacant, the medical officer or the Doctor Incharge of the Government Hospital shall act as the medical officer of the prison and correctional institution.
- (2) **Medical Officer to report in certain cases.-** Whenever the medical officer has reason to believe that the mind of a prisoner is, or is likely to be injuriously affected by the discipline or treatment to which he is subjected, the medical officer shall report the details of the case in writing to the Superintendent, as may be prescribed under the rules. This report, with the orders of the Superintendent thereon, shall forthwith be sent to the Head of Directorate for necessary action.
- (3) **Report on the death of a prisoner.-** On the death of any prisoner, the medical officer shall immediately record all the relevant details of the case and report to the Superintendent. The Superintendent shall forthwith send a detailed report with such observations, as he may think proper, to the Principal District and Session Judge, Head of Directorate, District Magistrate, Human Rights Commission and the Court concerned, if any, as may be prescribed under the rules.
- (4) **Record of direction of Medical Officers.-** All directions given by the medical officer or medical subordinate in relation to any prisoner, with the exception of order for the supply of medicines or directions relating to such matters as are carried into effect by the medical officer himself or under his superintendence, shall be entered day by day in the prisoner's health book or in such other record, as may be prescribed under the rules.
14. **Duties of other prison officials.-** All other correctional services officials subordinate to the Superintendent shall perform and discharge such duties, as may be assigned to them by the Superintendent or based on the functions and responsibilities assigned for various categories of correctional services Officials, as may be prescribed under the rules.
15. **Convict Officials.-** Prisoners who have been appointed as officials of prison and correctional institution shall be deemed to be public servants within the meaning of the Bhartiya Nyaya Sanhita, 2023 (45 of 2023).
16. **Exercise of powers of Superintendent in his absence.-** All or any of the powers and duties of the Superintendent, may in his absence be exercised and performed by such other official, as the Competent Authority/Head of the Directorate may prescribe either by name or by official designation.
17. **Correctional services officials not to have business dealings with prisoners and interest in prison and correctional institution contracts.-** No correctional services official shall have any business dealings with any prisoner or any relative or friend of a prisoner, directly or indirectly, nor shall he have any business dealings with any prison and correctional institution or have any interest, direct or indirect, in any contract for supply of provisions or any other article to the prison and correctional institution, nor shall he derive any benefit, directly or indirectly, from the sale or purchase of any such provisions or articles.
18. **Officials welfare.-** The Head of Directorate may establish an official welfare wing to aid and advice the Government in the implementation of welfare measures for correctional services officials.

CHAPTER-VI
USE OF TECHNOLOGY IN PRISON AND CORRECTIONAL INSTITUTION
ADMINISTRATION

19. **Use of technology in prison and correctional institution administration.-** (1) The Government shall endeavour to integrate and embed appropriate technology for the effective management, superintendence of prison and correctional institution and for the safety and security of inmates.
- (2) The Government shall computerize the prison and correctional institution administration and integrate the database with the Central Government's computerized system for prison and correctional institution management. The Government shall also develop suitable interfaces for seamless sharing of information with the Central Government's computerized system.
- (3) The Government shall use state of the art technological interventions to detect and prohibit use of unauthorized wireless communication devices and other electronic devices in prison and correctional institution.

CHAPTER-VII
ADMISSION, TRANSFER AND DISCHARGE OF PRISONERS

20. **Admission of prisoners.-** (1) The Superintendent shall receive and detain a person duly committed to his custody, under this Act or otherwise, by any Court or any Competent Authority, according to the exigency of any writ, warrant or order by which such person has been committed to the prison and correctional institution, until such person is discharged or removed in due course of law.
- (2) The Superintendent shall, after the execution of such writ, warrant or order or after discharge of the person committed thereby, return the same to the Court by which it was issued, with a duly signed certificate, showing how the same has been executed or why the person committed thereby has been discharged from custody before execution thereof.
- (3) The Superintendent shall give effect to any sentence or order or warrant for the detention of any person, passed or issued by any Court or Competent Authority, under the provisions of any law, for the time being in force.
- (4) Where Superintendent has a doubt on the legality of a warrant or order sent to him for execution, he shall refer the matter to the concerning Court or Competent Authority for confirmation.
- (5) Pending a reference made under sub-section (4) the prisoner shall be detained in such a manner and with such restrictions or mitigations, as may be specified in the warrant or order.
- (6) No person shall be admitted into a prison and correctional institution for detention otherwise than under the production. of a lawful warrant or under any order of commitment addressed to the Superintendent by a Court or any other Competent Authority.
21. **Transfer of a prisoner to another State /Union Territory.-** (1) Where any person is confined in a prison and correctional institution of the State under a sentence of imprisonment or under

sentence of death or in default of payment of a fine or in default of giving security for keeping peace or for maintaining good behaviour, the Government may with the mutual consent of the Government of any other State, by order, provide for the transfer of the prisoner from that prison and correctional institution to any prison in the other State.

- (2) The transfer of any under-trial prisoner in the State to another State/Union Territory shall be done with the consent of the Trial Court.

22. **Transfer of prisoners with mental illness.-** The Government/Competent Authority may, by a general or special order, direct the transfer of any prisoner with mental illness from the place of detention to any mental health establishment in the State with prior permission of the Board mentioned in Section 103 of the Mental Healthcare Act, 2017 (10 of 2017), as may be prescribed under the rules.

23. **Prisoners to be searched and examined on admission, exit and re-entry.-** (1) Whenever a prisoner is admitted into a prison and correctional institution, he shall be searched, and all cash, jewellery, weapons and prohibited articles or any other article which a prisoner cannot retain with him shall be taken and retained in safe custody of the Superintendent or an official authorized by him:

Provided that a woman prisoner or a transgender prisoner shall be searched in an appropriate manner, as may be prescribed under the rules.

- (2) Every inmate received in a prison and correctional institution shall undergo such physical and biometric identification measurements in accordance with the provisions of the Criminal Procedure (Identification) Act, 2022 (11 of 2022) or any other law in force.
- (3) Every such prisoner shall be examined, on the same day or not later than 24 hours, by the medical officer, who shall enter in a record, the health status of the prisoner, including any illness, present or past.
- (4) Every prisoner who leaves a prison and correctional institution or re-enters a prison and correctional institution shall also undergo search, physical and biometric identification upon each such exit from or entry into prison and correctional institution.
- (5) Any prisoner shall be liable to be searched at any time for detection of any prohibited article.

24. **Articles of prisoners.-** All valuable articles of a prisoner, in respect whereof no order of a Competent Court has been made and which under the rules may be brought into a prison and correctional institution by any prisoner or sent to the prison and correctional institution for the inmate's use, shall be placed in the custody of the official authorized by the Superintendent in this behalf.

25. **Admission, transfer and repatriation of foreign prisoners.-** The information of admission of a foreign prisoner in a prison and correctional institution shall be sent forthwith to the Head of Directorate and forwarded to the Ministry of External Affairs, Government of India or any other agency, as may be specified by the Central Government, as may be prescribed under the rules.

CHAPTER-VIII CLASSIFICATION OF PRISONERS

26. **Composition of Classification and Security Assessment Committee.**- A committee may be constituted for classification and security assessment of prisoners, comprising officials of correctional services and other officials, as may be prescribed under the rules.
27. **Grounds of classification and categories.**- (1) The classification and security assessment committee may classify the prisoners admitted into a prison and correctional institution according to their age, gender, length of sentence, safety and security requirements, physical and mental health needs and correctional needs, as may be prescribed under the rules.
- (2) The prisoners may be classified under the following categories, namely:-
- (a) civil prisoners;
 - (b) criminal prisoners;
 - (c) detenue.
- (3) The prisoners classified in sub-section (2) may be further classified under the following sub-categories, namely:-
- (a) convict prisoners;
 - (b) under-trial prisoners;
 - (c) drug addicts and alcoholic offenders;
 - (d) first time offenders;
 - (e) foreign prisoners;
 - (f) habitual offenders;
 - (g) high risk prisoners;
 - (h) old and infirm prisoners (65+ years);
 - (i) prisoners sentenced to death;
 - (j) prisoners suffering from mental illness;
 - (k) prisoners suffering from infectious/chronic diseases;
 - (l) recidivist;
 - (m) women prisoners;
 - (n) women prisoners with children;
 - (o) men prisoners with children;
 - (p) young offenders.
- (4) The under trial prisoner, convict prisoner, civil prisoner, detenue and recidivist may be lodged in separate barracks/enclosure/ cells.
- (5) The prisoners may be segregated gender-wise male, female and transgender and lodged separately.
- (6) High risk prisoners shall be accommodated in special cells and/or high security prisons with a view to protect other prisoners from negative influence and radicalized thought process.
- (7) The Superintendent shall take special care and caution for ensuring safe and secure custody of high risk prisoners, as may be specified by the Government in its behalf.

CHAPTER-IX

PROTECTION OF SOCIETY FROM CRIMINAL ACTIVITIES OF
HIGH RISK PRISONERS AND HABITUAL OFFENDERS

28. **Taking appropriate measures against criminal activities of prisoners.-** (1) It shall be the responsibility of the Directorate and the Police Department of the State to take all appropriate measures for protecting the society from the criminal activities of high risk prisoners and habitual offenders.
- (2) Based on the details of the crime committed by the inmate, available background record and history ticket, inmates shall be suitably classified, assessed for their propensity and potential to negatively influence other inmates and be housed in separate barracks/cells, as may be prescribed under the rules.
 - (3) With a view to protect the society and the victims, high risk prisoners and habitual offenders shall not be entitled for parole, furlough or any kind of prison and correctional institution leave in the normal course.
29. **Special provisions for security, intelligence gathering, surveillance and rotation of correctional services officials on duty.-** (1) The Superintendent shall ensure special watch and surveillance on those inmates who are prone to indulge in gang activities and intimidating witnesses.
- (2) For ensuring dynamic security, preventing escapes, instances of disorder and criminal activity in prison and correctional institution, appropriate provision for intelligence gathering from prisoners, careful observation and monitoring of prisoners and analysis of the relevant information shall be done by the Superintendent in co-ordination with various intelligence agencies.
 - (3) The Superintendent shall ensure strong and effective measures for frisking, periodic search and detection of contrabands, mobile phones in the cells and barracks of high risk prisoners and deploy advanced jamming solutions in such areas including conduct of frequent surprise checks.
 - (4) The Superintendent shall ensure rotation of Correctional Services Officials deployed in barracks and cells, at periodic interval, as may be prescribed under the rules.
 - (5) The release of any inmate either on completion of sentence or otherwise shall be informed to the Superintendent of Police of the concerned district, who shall keep a watch on the activities of such prisoners.
 - (6) The District Administration shall fully secure the movement of the prisoner in course of movement to and from the Court for judicial proceeding or the hospital for medical treatment or any other place, as per writ, warrant or order of the Competent Authority, as the case may be.
 - (7) The Police Department shall provide the criminal history of the prisoner within a reasonable period of time, as may be prescribed under the rules, if so desired by the Superintendent.
 - (8) In case a prisoner requires special watch or care, the Police Department shall share such requirement along with prisoner's criminal history with the Superintendent.

CHAPTER-X
PRISON AND CORRECTIONAL INSTITUTION REGIMEN FOR
WOMEN PRISONERS

30. **Separate accommodation for women prisoners.-** (1) The Government may establish such number of exclusive prisons and correctional institutions for women prisoners as, it may consider necessary. To accommodate women prisoners, in a prison and correctional institution housing both women and men prisoners shall be kept in a separate building or a separate part of the same building with a separate entrance, in such a manner that they do not come into contact with men prisoners. While providing for basic facilities and correctional services to women prisoners their gender specific needs shall be met.
- (2) In Central Prison and Correctional Institution, a separate female ward in the prison and correctional institution hospital may be created for women prisoners.
- (3) In case of exclusive women prison and correctional institution and women enclosure/female ward, only women correctional services officials shall be deployed. Male correctional services officials can be deployed for duties outside such prison and correctional institution or enclosure and can be called inside by the Superintendent or the official on duty, only in case of any emergency or prison and correctional institution offence, as may be prescribed under the rules.
31. **Pregnant Women prisoners.-** When a women prisoner is found to be pregnant, the medical officer or officer-in-charge shall report the fact to the Superintendent. Necessary arrangements shall be made for providing her medical care and diet, as may be prescribed under the rules.
32. **Women or men prisoners with children.-**(1) Women or Men prisoners may keep their children inside the prison and correctional institution until the child attains the age of six years.
- (2) A child living with his mother or father in prison and correctional institution may be provided with health-care and such other facilities, as may be prescribed under the rules.
33. **Inquiry into complaints of sexual harassment or sodomy of a prisoner.-** The Superintendent shall act upon as per the provisions of law, on receiving any complaint or any information of sexual harassment or sodomy of a prisoner, without any delay. The Superintendent shall report such incident to the Head of Directorate, as may be prescribed under the rules.

CHAPTER-XI
TRANSGENDER PRISONERS

34. **Prison and Correctional Institution Regimen for Transgender prisoners.-**(1) Separate enclosures/wards in prison and correctional institution for transgender prisoner, may be provided, as may be prescribed under the rules.
- (2) Transgender prisoner may be provided access to any specific health-care needs.
- (3) Transgender prisoner may be provided access to correctional services.

CHAPTER-XII CUSTODY AND SECURITY OF PRISONERS

35. **Safe custody and security of prisoners.-** (1) The Superintendent shall be responsible to undertake effective measures for ensuring safe custody and security of prisoners. These measures may not be limited to but may include the following, namely:-

Secure walls, strong gates, good lighting system, central point monitoring of prisoners, watch towers, power fencing, control of prohibited articles, system for gathering intelligence, closed circuit television and other advanced gadgets and devices for guarding purposes and preventing access to prohibited articles in prison and correctional institution.

- (2) The Head of Directorate shall be empowered to transfer a prisoner to any other prison and correctional institution in the State, as may be prescribed under the rules.
 - (3) On the request of the Superintendent, the local police authorities shall provide necessary assistance to the correctional services authorities, for escorting a prisoner to a Court or for visit to hospital or parole with custody and for ensuring the safe custody of any prisoner who poses a special risk, including escape from prison and correctional institution, rioting, arson or resorting to any violent means affecting the law and order and discipline in the prison and correctional institution.
 - (4) The manner of use of restraint and force on prisoners may be regulated, as may be prescribed under the rules.
36. **Extramural custody, control and employment of prisoners.-** A prisoner, when being taken to or from any prison and correctional institution, in which he may be lawfully confined or to a Court for production or to a hospital for medical treatment or whenever he is working outside or is otherwise beyond the limits of any such prison and correctional institution in or under the lawful custody or control of correctional services official belonging to such prison and correctional institution or any other official deployed for such duty shall be deemed to be in prison and correctional institution and shall be subject to all directions and discipline, as if he were actually in prison and correctional institution.
37. **Visit to prisoners.-** (1) Prisoners may communicate with their visitors, namely family members; relatives and friends through physical or virtual mode, under proper supervision of correctional services authorities. Visitors to inmates shall be verified/authenticated through biometric verification/identification.
- (2) The name, address, photograph and biometric identification of each visitor to the prisoner shall be entered into record, as may be prescribed under the rules.
 - (3) Foreign prisoner may communicate with his family members and consular representatives, as prescribed under the rules.
 - (4) Prisoner may communicate with his legal counsel, as prescribed under the rules.

38. **Search of visitors by the correctional services officials.-** (1) All visitors to prisoners shall be searched in a manner as prescribed under the rules.
- (2) In case any visitor refuses to get himself searched, he shall be denied admission to the prison and correctional institution and such decision shall be entered into record.
- (3) Appropriate provisions for search of visitors who are women, transgender or persons with disabilities may be made, as prescribed under the rules.
- (4) All correctional services officials shall be searched, upon each entry to the prison and correctional institution and each exit from the prison and correctional institution.

CHAPTER-XIII DISCIPLINE IN PRISON AND CORRECTIONAL INSTITUTION

39. **Discipline in Prison and Correctional Institution.-** (1) The Superintendent shall have the necessary authority and shall be responsible for maintaining discipline in the prison and correctional institution, in accordance with the provisions of the Act or rules made thereunder.
- (2) The manner of enforcing discipline in the prison and correctional institutions shall be such, as may be prescribed under the rules.
- (3) Every prisoner shall obey the orders and instructions of correctional services officials and abide by the provisions of this Act and comply with such other directions as may be prescribed under the rules.
40. **Display of Prison and Correctional Institution offences and penalties.-** The Superintendent may cause to be affixed, at a conspicuous place inside the prison and correctional institution, a notice in Hindi or English language, setting forth the acts prohibited under this Act and the penalties incurred by their commission for the information of the prisoners and correctional services officials.
41. **Prison and Correctional Institution offences.-** The following acts and omissions are declared as prison and correctional institution offences, when committed or omitted by prisoner, namely:-
- (1) **Minor offences.-**
- (a) willful disobedience of any rule or regulation of the prison and correctional institution, as may be prescribed under the rules;
- (b) deliberate or persistent use of insulting or threatening language;
- (c) immoral or indecent or disorderly behaviour;
- (d) willfully disabling himself from labour;
- (e) continuously refusing to work, if the prisoner has been punished with rigorous imprisonment;

- (f) willful idleness or negligence at work by any convict prisoner sentenced to rigorous imprisonment;
- (g) willful mismanagement of work by any convict prisoner sentenced to rigorous imprisonment;
- (h) willful damage to prison and correctional institution property;
- (i) willfully making a false accusation against any correctional services official;
- (j) Aiding or abetting or facilitating the commission of any of the aforesaid offences.

(2) **Major offences.-**

- (a) omitting or refusing to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any attempt to escape or preparation to escape or attack on any prisoner or any other person or correctional services official;
- (b) tampering with or defacing history tickets, records or documents, maintained in physical or electronic form;
- (c) receiving, possessing or transferring any prohibited article other than wireless communication devices and/or their ancillary components;
- (d) escape or attempt to escape, conspiring to escape or to assist in escaping;
- (e) unauthorized use or possession of wireless communication devices and/or their ancillary components;
- (f) trespassing in or loitering about in the prison and correctional institution premises where entry is not allowed;
- (g) unauthorized communication with any person;
- (h) impersonating a correctional services official or employee of the Government;
- (i) smuggling or attempting to smuggle or to have in possession prohibited article other than wireless communication devices and/or their ancillary components in the prison and correctional institution;
- (j) intimidating fellow prisoners into making false representation against the correctional services officials;
- (k) resorting to strike or start or continue any agitation or participating in or inciting mass hunger strike or any other act of defiance or indiscipline;
- (l) sexual harassment or sodomy;
- (m) participating in or organizing anti-social activities, as may be prescribed under the rules;

- (n) assault or use of force on anyone, attack by one group of prisoners on another group;
- (o) aiding or abetting or facilitating the commission of any of the aforesaid offences.

42. **Punishment for Prison and Correctional Institution offences.-** The Superintendent after conducting an inquiry, as may be prescribed under the rules, may impose any of the following punishment with respect to the prison and correctional institution offences indicated in sub-section (1) or (2) of Section 41, namely:-

Minor punishments.- A minor offence indicated in sub-section (1) of Section 41 shall be dealt with any or a combination of the following punishments, namely:-

- (a) a formal warning, which means a warning personally addressed to a prisoner by the Superintendent and recorded in the punishment book and in the prisoner's history ticket;
- (b) restricting visits of all the visitors except legal counsel up to a period of one month;
- (c) forfeiture of wages of not more than 10 days in one calendar month;
- (d) stoppage of privileges given to the prisoners not exceeding one month at a time, as may be prescribed under the rules.

Major punishments.- A major offence indicated in sub-section (2) of Section 41 except for clause (e) of sub-section (2) of Section 41 for which the punishment shall be as per the provisions of Section 46, shall be dealt with any one or a combination of the following punishments, namely:-

- (a) stoppage of privileges given to the prisoners not exceeding three months at a time, as may be prescribed under the rules;
- (b) transfer to any other prison and correctional institution and consequent loss of privileges, as may be prescribed under the rules;
- (c) forfeiture of earned remission up to thirty days;
- (d) suspension of privileges of parole for a period not exceeding one year starting from the date of the prisoner's next eligibility for release on parole;
- (e) stoppage or reduction of facilities in respect of recreation, canteen, visitor to prisoner, wages, nature of work for one month to three months at a time;
- (f) separate confinement for any period not exceeding three months at a time:

Provided that no punishment of separate confinement exceeding one month shall be repeated without a gap of fifteen days:

Provided further that no old aged prisoner (65+ years) or woman prisoner shall be confined to separate confinement.

43. **Procedure for offences covered under other laws.-** The offences in such cases which constitute an offence under the Bhartiya Nyaya Sanhita, 2023 (45 of 2023) or any other law shall be dealt with the provisions of that particular law.
44. **Procedure on repeated committal of a prison and correctional institution offence.-** If any prisoner is guilty of an offence against prison and correctional institution discipline, which by reason of his having frequently committed such offence or otherwise, in the opinion of the Superintendent, is not adequately punishable by the award of any punishment which he has the power to award under this Act, the Superintendent shall forward the case of such prisoner to the competent Magistrate having jurisdiction, together with a statement of the circumstances and such Judicial Magistrate shall thereupon try the charge so brought against the prisoner and upon conviction, may sentence him to imprisonment, which may extend for a period up to three years. Such term shall be in addition to any other term which such prisoner may be already undergoing.
45. **Punishment for escape or attempt to escape.-** If any prisoner escapes or attempts to escape from prison and correctional institution in which he may be lawfully confined or to a court for production or to the hospital to which he has been sent or while going there to or returning from there or whenever he is working outside or is otherwise beyond the limits of any such prison and correctional institution, upon the information by the Superintendent, the police shall act as per Section 262 of the the Bhartiya Nyaya Sanhita, 2023 (45 of 2023) and he shall be on conviction before a Magistrate, be liable to imprisonment for a term which may extend to two years or with fine or both. The offence under this Section shall be cognizable and non-bailable.
46. **Punishment for possessing or using wireless communication devices and/or their ancillary component.-** (1) Whoever, whether a prisoner, visitor or correctional services official violates any provisions of the Act or the rules made thereunder by possessing or using wireless communication devices and/or their ancillary components, or by introducing, removing, or attempting to do so into or from any prison or correctional institution, or by supplying or attempting to supply such devices to any prisoner or by communicating or attempting to communicate with any prisoner, or manipulating, damaging or destroying prison equipment, electronic or otherwise shall, upon conviction before a magistrate, be liable for imprisonment for a minimum period of two years, extendable upto three years, alongwith a fine not exceeding Rupees Five Lakhs.
- (2) The prisoner shall undergo the sentence awarded under sub-section (1) on completion of any sentence, if already undergoing.
- (3) The offences mentioned in sub-section (1) shall be cognizable and non-bailable.
47. **Entries in punishment book.-** (1) In the punishment book as prescribed under the rules there shall be recorded, in respect of every punishment awarded, the prisoner's name, register number and the classification (whether habitual or not) to which he belongs, the prison and correctional institution offence of which he was guilty, the date on which such prison and correctional institution offence was committed, the number of previous prison and correctional institution offences recorded against the prisoner (if any), and the date of his last prison and correctional institution offence (if any), the punishment awarded and the date thereof.
- (2) For every major prison and correctional institution offence, the names of the witnesses proving the offence shall be recorded and the Superintendent shall record the substance of the evidence of the witnesses, the defence of the prisoner and the findings with the reasons thereof.

- (3) Against the entries relating to each punishment, the Deputy Superintendent and Superintendent shall affix their signatures as evidence of the correctness of the entries.

CHAPTER-XIV SENTENCE PLANNING

48. **Individual Sentence Planning.-** (1) A sentence plan setting out the programme of treatment of prisoners may be prepared by the Superintendent, which shall help in the prisoner's rehabilitation and social reintegration, as may be prescribed under the rules.
- (2) The individual sentence plans may be updated and recorded in the prisoner's files on periodic basis.
49. **Work programme and wages.-** (1) Every prisoner, including under trial prisoner or civil prisoner or prisoner sentenced to simple imprisonment, while in custody, may be provided the opportunity of work, if available and be paid commensurate wages at such rate, as may be prescribed under the rules.
- (2) The record of wages earned and spent by any prisoner, particulars of deferred wages and matters incidental thereto shall be maintained by the Superintendent.
- (3) The Government may frame a scheme which may be called the Prisoners Welfare Fund for the welfare of the prisoners in the State.

CHAPTER-XV OPEN CORRECTIONAL INSTITUTIONS

50. **Open Correctional Institutions.-** (1) The Government may establish and maintain as many open correctional institutions for prisoners, as may be required.
- (2) The Government may allow such facilities or concessions in such open correctional institution which may help the prisoner in his rehabilitation into the society, as may be prescribed under the rules.
- (3) The rules for administration of open correctional institutions including the procedure and eligibility of prisoners who can be transferred to such open correctional institutions, process of dealing with prisoners who violate any condition of transfer to an open correctional institution shall be such, as may be prescribed under the rules.

CHAPTER-XVI PRISON AND CORRECTIONAL INSTITUTION LEAVE, REMISSION AND PRE-MATURE RELEASE

51. **Parole and Furlough.-** (1) Prison and correctional institution leave may be granted to eligible convicted prisoners as an incentive for good behaviour and responsiveness to correctional treatment with the objective of their rehabilitation into the society, as may be prescribed under the rules.

- (2) There may be the following types of prison and correctional institution leaves, namely:-
- (a) regular parole;
 - (b) emergency parole;
 - (c) furlough.
- (3) Regular Parole may be granted to eligible convicts after the completion of three years of confinement by the Competent Authority under such conditions and for such purposes, as may be prescribed under the rules. The period spent on regular parole may not exceed fifteen days at a time and may not be granted more than three times in a year provided there would be atleast a minimum period of three months between the grant of two regular paroles. The period spent on regular parole shall not be counted as part of sentence,
- (4) Emergency Parole may be granted by the Competent Authority to eligible convicts in rare or emergent situations, under police protection for a period extending up to 48 hours, as prescribed under the rules. The period spent under this parole shall be counted towards part of sentence.
- (5) Furlough may be granted to eligible convicts by the Competent Authority, as an incentive for maintaining good conduct and discipline in the prison and correctional institution after the completion of three years of confinement for a period not more than 14 days in a calendar year. The period spent on furlough shall be counted towards part of sentence.
- (6) For prisoners governed by any of the laws relating to the Armed Forces of the Union, the grant of leave shall be subject to laws relating to the Armed Forces of the Union.
- (7) If a prisoner on parole or furlough fails to surrender on the due date, upon intimation by the Superintendent, the police shall act as per Section 262 of the Bhartiya Nyaya Sanhita, 2023 (45 of 2023).
52. **Remission to prisoners.-** Subject to the overall good behaviour and conduct of a convicted prisoner, while serving the sentence, remission may be granted by the Competent Authority, as may be prescribed under the rules.
53. **Pre-mature release.-** Pre-mature release may be allowed to a prisoner by the Competent Authority with the objective of his rehabilitation and reintegration into the society. The Government may constitute a Sentence Review Board for considering and recommending cases for premature release of a convicted prisoner, as may be prescribed under the rules.

CHAPTER-XVII

INSPECTION OF PRISON AND CORRECTIONAL INSTITUTIONS

54. **Inspection of Prison and Correctional Institutions.-** (1) There shall be a two-fold system for inspections of prison and correctional institution,-
- (a) **Inspection conducted by senior correctional services officials.-** The Head of Directorate may have a prison and correctional institution inspected by an official of appropriate rank at periodic intervals, as may be prescribed under the rules;

- (b) **Inspections conducted by the Board of Visitors.-** Board of visitors may be headed by the Principal District and Session Judge/Additional District Judge/Chief Judicial Magistrate, as the case may be and may comprise of such other official and non-official members for carrying out inspections, as may be prescribed under the rules.
- (2) After inspection under clause (a) of sub-section (1) of section 54, a written report shall be submitted to the Head of Directorate, as may be prescribed under the rules.

CHAPTER-XVIII MISCELLANEOUS

55. **Legal Aid.-** The Government may provide the facility of free legal aid to the prisoners in accordance with the provisions of the Legal Services Authorities Act, 1987 (39 of 1987) and the Standard Operating Procedure prescribed by National Legal Services Authority/State Legal Services Authority/ District Legal Services Authority or as may be prescribed under the rules.
56. **Constitution of Under Trial Review Committee for every district.-** (1) There shall be an Under Trial Review Committee for every district, headed by the Principal District and Sessions Judge and comprising of such other members and for carrying out such functions, as may be prescribed under the rules.
- (2) The Committee shall meet periodically and review the cases of eligible prisoners in all prison and correctional institutions of the district and make appropriate recommendations.
57. **Grievance Redressal Mechanism.-** There shall be an appropriate mechanism for redressal of the grievances of the prisoners, as may be prescribed under the rules.
58. **Supply of clothing and bedding to civil and under trial criminal prisoners.-** (1) Every civil prisoner and under trial criminal prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Superintendent as may be necessary.
- (2) When any civil prisoner is committed to prison and correctional institution in execution of a decree in favour of a private person such person or his representative, shall within forty-eight hours after the receipt by him of a demand in writing, pay to the Superintendent the cost of the clothing and bedding so supplied to the prisoner and in default of such payment the prisoner may be released.
59. **Prohibition of strike and agitation.-** No visitor or correctional Services official shall have right to strike or start or continue any agitation inside the prison and correctional institution.
60. **Emergency.-** The Superintendent shall take all appropriate measures, including the procurement of necessary equipments and preparation of a contingency plan, for preventing and controlling any emergency situation in the prison and correctional institution, including ensuring availability of quick reaction team and any other provision in conformity with the Disaster Management Act, 2005 (53 of 2005) or any other relevant Act and orders or instructions issued by Competent Authority, as may be prescribed under the rules.
61. **Prison and Correctional Institution Development Board.-** The State may set up a Prison and Correctional Institution Development Board with the objective of modernizing infrastructural

facilities to provide better correctional services to prisoners and welfare of the correctional services officials and may make rules for composition of such Board, its responsibilities and manner of governance.

62. **Delegation of Powers.-** Any of the powers conferred by this Act may be exercised and performed by such officials, as the Government may designate in this regard.
63. **Accounts and Audits.-** The accounts of every prison and correctional institution shall be maintained and audited in such manner, as may be prescribed by the Government.
64. **Protection of action taken in good faith.-** No suit, Prosecution or other legal proceeding shall lie against the Government or any functionary of the Government in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.
65. **Reward and Recognition.-** The Government shall, for maintaining the necessary level of quantitative and qualitative competence of the officials of the correctional services, evolve a system of reward, recognition and appreciation for meritorious services as may be prescribed under the rules.
66. **Power of the Government to make rules.-** The Government may, by notification in the Official Gazette, make rules consistent with the Act and include but not limited to the following, namely:-
 - (1) regarding custody of a prisoner committed to it under writ, warrant or by the order of any Court or any other Competent Authority;
 - (2) to provide for suitable measures for the safety and security of prisoners;
 - (3) to provide the prisoners with accommodation, food, clothing, clean and sufficient water, toiletries, other necessities and medical services;
 - (4) to provide the prisoners access to adequate, gender-responsive physical and mental health care facilities;
 - (5) to provide correctional services to the prisoners with the objective of rehabilitating them in the society as law abiding citizens;
 - (6) to maintain discipline in the prison and correctional institution in accordance with the provisions of this Act;
 - (7) to provide after care service with a view to ensure prisoners reintegration and rehabilitation in the society;
 - (8) to provide sufficient number of prison and correctional institutions in the State for accommodating the prisoners;
 - (9) regarding the pattern of construction of a prison and correctional institution and its architectural design;

- (10) to provide for the standards of security for each prison and correctional institution;
- (11) to provide for the use of technology in prison and correctional institution;
- (12) to provide for facilitating segregation and separate lodging of various categories of prisoners and/or for attending to special needs of prisoner;
- (13) to provide for an institutional set-up which may be decided in accordance with the need and requirement of prisoners, the inmate population, workload of correctional services officials;
- (14) to provide for the appointment of the Head of Directorate;
- (15) to provide for officials as may be necessary to assist the Head of Directorate for performing such duties;
- (16) to provide for correctional services officials, as may be necessary for every prison and correctional institution;
- (17) to provide for the general administrative control and management of a prison and correctional institution;
- (18) regarding utilization of the services of prisoners for the day-to-day administration and Management of the prison and correctional institution;
- (19) to provide for the qualifications, recruitment, appointment and training of officials of the prison and correctional institution;
- (20) to provide for safe custody of all documents/records, including records in electronic format, money and other articles taken from prisoner;
- (21) regarding the duties and functions of medical officer;
- (22) to provide for the transfer to a mental health establishment of prisoners with mental illness;
- (23) regarding the search of prisoners;
- (24) regarding foreign prisoners;
- (25) regarding the committee for classification and security assessment of prisoners;
- (26) regarding duties and functions of correctional services officials;
- (27) regarding administration of management of women prisoners;
- (28) regarding action taken in case of a complaint of sexual harassment or sodomy;
- (29) regarding administration and management of visitors to prisoners;
- (30) to provide for the manner of enforcing prison and correctional institution discipline;

- (31) regarding prison and correctional institution offences and punishment;
 - (32) regarding use of arms against any prisoner(s) in case of an outbreak or attempt to escape;
 - (33) to provide for sentence plan for prisoners;
 - (34) regarding work programme and wages of prisoners;
 - (35) regarding administration and management of open correctional institution;
 - (36) regarding prison and correctional institution leave- parole and furlough;
 - (37) regarding remission and pre-mature release of prisoners;
 - (38) regarding the inspection of prison and correctional institutions;
 - (39) regarding the composition, responsibilities and manner of governance of Prison and Correctional Institution Development Board;
 - (40) regarding reward, recognition and appreciation for correctional services
67. **Repeal and Saving.**- (1) The Prisons Act, 1894 (9 of 1894), the Prisoners Act, 1900 (3 of 1900) and the Transfer of Prisoners Act, 1950 (29 of 1950) as applicable to the State of Madhya Pradesh are hereby repealed.
- (2) Notwithstanding anything contained this Act, all the rules, regulations, orders, directions, notifications relating to prisons made under Acts mentioned in sub-section (1) of section 68 and in force immediately before the commencement of this Act shall except where and so far, as they are inconsistent with or repugnant to the provisions of this Act, continued to be in force until altered, amended or repealed by rules made under this Act.
68. **Power to remove difficulties.**- (1) If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, by order published in the Official Gazette, make such Provisions or take such measures, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty.
- (2) The Government may, make an order under sub-section (1) to have effect from any date not earlier than the date of commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

To regulate the functioning of prisons and correctional institutions, ensuring the execution of sentences awarded by Courts and Competent Authorities in accordance with the laws of the land. In the past, the philosophies of prison law were largely deterrent, punitive, retributive, or preventive. In recent times, the focus of the legislature and judiciary has shifted towards more reformatory aspects. The current Prisons Act, 1894 (9 of 1894), served the needs of that time in alignment with the aforementioned old philosophies but are not that much useful to support the present needs of the Prison and Correctional Institution.

2. The philosophy of the new law aims to instil and inculcate sense of positivity in inmates through the latest permissible methods and techniques, removing negativities from their minds and thought process. The proposed law mandates and permits several measures, in accordance with the needs of inmates, to ensure quality food, better living conditions, meditation, yoga, sport and skill enhancement (through vocational training in various trades) for better assimilation into society after their release from prison and correctional institutions.
3. The proposed Bill asserts the philosophy that admitted inmates shall emerge from correctional institutions with increased positivity, better attitude and equipped with special skills. Wherefore, inmates can leave the prison as better human beings and become more responsible citizen of the country.
4. Therefore, due to the aforementioned reasons, it is expedient and in the interest of public, it is hereby decided to repeal the Prisons Act, 1894 (9 of 1894), the Prisoners Act, 1900 (3 of 1900) and the Transfer of Prisoners Act, 1950 (29 of 1950), as applicable to the State of Madhya Pradesh and the Madhya Pradesh Sudharatmak Sevayen Evam Bandigrah Bill, 2024 is hereby proposed.
5. Hence this Bill.

Bhopal
Dated the 1st July, 2024.

NARENDRA SHIVAJI PATEL
Member-In-Charge.